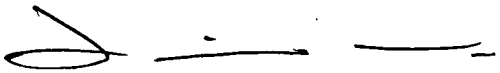
Remarks

In the Office Action dated February 17, 2010, the examiner has relied upon Hills (US6482391) for rejecting most of the claims as being anticipated or obvious thereby, and in combination with secondary references Sladek (US6014972) and Wetterlin (US4114615) for rejecting the remaining claims as being obvious.

Per the above amendment, independent claims 49, 72, 76 and 95 each have been amended to include the feature that the device has an outlet pathway having a choke. This feature was in now canceled claim 64. The Examiner has argued that this feature is known from US'391, particularly from "around" feature 13 in Figure 2 (see paragraph 12 of the office action at page 3). However, feature 13 appears to be a fitting (see column 4 line 10 of US'391) or a valve (column 4 line 18) and the area "around" fitting 13 is but the connections to the tube 12 and the mouthpiece 14. There is no disclosure of feature 13 including a choke. Nor is there disclosure of the desirability of decelerating the aerosol of the medicament on outlet. According to paragraph 31 of the present application (per publication 2007/0151560), the advantages of including such a choke are that it aids patient compliance and reduces the problems of reduction in delivered respirable dose because of impact at the back of the patient's throat. There is nothing in US'391 about the disclosed device solving such problems.

In light of the foregoing, the examiner is respectfully requested to reconsider the application and pass the same to issue at an early date.

Respectfully submitted,



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